

<b>Notice of Allowability</b>	Application No.	Applicant(s)	
	10/788,810	FORBES, LEONARD	
	Examiner Igwe U. Anya	Art Unit 2891	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to Paper filed 17 October 2005.
2.  The allowed claim(s) is/are 1-4,6-10 and 12-33.
3.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All
  - b)  Some\*
  - c)  None
 of the:
  1.  Certified copies of the priority documents have been received.
  2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
  - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

#### Attachment(s)

1.  Notice of References Cited (PTO-892)
2.  Notice of Draftsperson's Patent Drawing Review (PTO-948)
3.  Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date 8/1/05, 10/17/05
4.  Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5.  Notice of Informal Patent Application (PTO-152)
6.  Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7.  Examiner's Amendment/Comment
8.  Examiner's Statement of Reasons for Allowance
9.  Other \_\_\_\_\_.

***Allowable Subject Matter***

1. The following is an examiner's statement of reasons for allowance. Applicant's claims 1 – 4, 6 – 10, and 12 - 33 are allowable, because prior art does not teach inter alia:

***(claims 1, 31, 33)*** forming a low tunnel barrier inter-gate insulator layer in contact with a metal layer of a floating gate, and wherein the floating gate further comprises of polysilicon;

***(claims 8)*** forming a low tunnel barrier inter-gate insulator layer in contact with a metal layer of a control gate, and wherein the control gate further comprises of polysilicon;

***(claims 9, 26)*** writing to a floating gate using channel hot electron injection and erasing charges from the floating gate by tunneling electrons off the floating gate onto the control gate, and wherein a first and a second logic planes provide a sum of products term on output lines.

***(claim 30)*** forming a vertical control gate sandwiched between vertical floating gates, and forming an inter-gate gate insulator selected from a group consisting of PbO, Al<sub>2</sub>O<sub>3</sub>, Ta<sub>2</sub>O<sub>5</sub>, TiO<sub>2</sub>, ZrO<sub>2</sub>, and Nb<sub>2</sub>O<sub>5</sub> to separate the floating gate and the control gate, and wherein a first and a second logic planes provide a sum of products term on output lines.

2. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

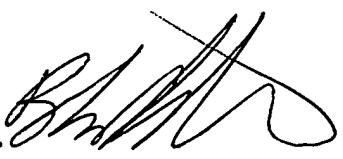
**Remarks**

3. The examiner has reviewed prior art and applicant's IDS filed after allowance.

**Contact Information**

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Igwe U. Anya whose telephone number is (571) 272-1887. The examiner can normally be reached on M - F 8:30am - 5:00pm.
5. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William B. Baumeister can be reached on (571) 272-1722. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.
6. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Igwe U. Anya  
Examiner  
Art Unit 2891



**B. WILLIAM BAUMEISTER**  
SUPERVISOR, PATENT EXAMINER  
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IA  
December 29, 2005